

Appl. No. 10/684,644

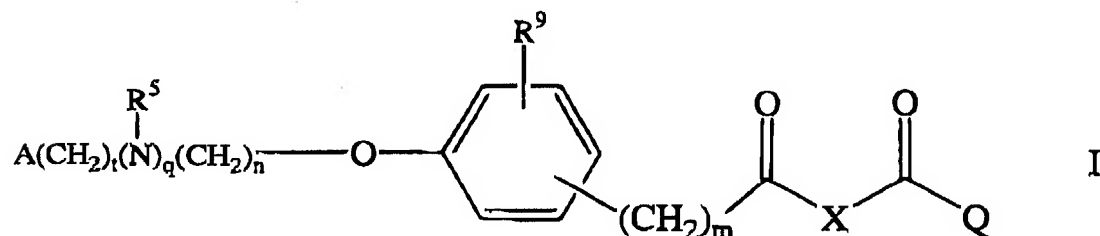
Preliminary Amendment dated January 8, 2004

**Amendments to the Claims:**

Please amend claims 1 and 2 as shown in the listing of claims that follows. This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently amended) A biologically active agent, wherein the agent is a compound of the formula:



wherein

n is 1 or 2;

m is 0 or 1;

q is 0 or 1;

t is 0 or 1;

R<sup>5</sup> is alkyl having from 1 to 3 carbon atoms; and

R<sup>9</sup> is hydrogen, halo, or alkoxy having from 1 to 3 carbon atoms; and

X is -CH<sub>2</sub>CR<sup>12</sup>R<sup>13</sup> - wherein one of R<sup>12</sup> and R<sup>13</sup> is hydrogen or methyl and the other is methyl, Q is OR<sup>1</sup> and R<sup>1</sup> is hydrogen or alkyl having from 1 to 7

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carbon atoms; or X is  $-\text{CH}_2\text{CH}_2-$  and Q is  $\text{NR}^{10}\text{R}^{11}$  wherein one of  $\text{R}^{10}$  and  $\text{R}^{11}$  is hydrogen, alkyl having from 1 to 3 carbon atoms or hydroxy, and the other is hydrogen or alkyl having from 1 to 3 carbon atoms; or

~~A is cycloalkyl having from 3 to 6 ring carbon atoms wherein the cycloalkyl is unsubstituted or one or two ring carbons are independently mono-substituted by methyl or ethyl; and~~

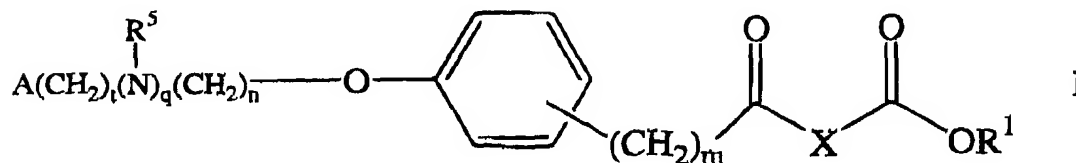
$\text{R}^9$  is halo, or alkoxy having from 1 to 3 carbon atoms; and

X is  $-\text{CH}_2-$ , Q is  $-\text{OR}^1$  and  $\text{R}^1$  is ethyl; or X is  $-\text{CH}_2\text{CR}^{12}\text{R}^{13}-$  or  $-\text{CH}_2\text{CH}(\text{NHAc})-$  wherein each of  $\text{R}^{12}$  and  $\text{R}^{13}$  is independently hydrogen or methyl, Q is  $\text{OR}^1$  and  $\text{R}^1$  is hydrogen or alkyl having from 1 to 7 carbon atoms; or X is  $-\text{CH}_2\text{CH}_2-$  and Q is  $\text{NR}^{10}\text{R}^{11}$  wherein one of  $\text{R}^{10}$  and  $\text{R}^{11}$  is hydrogen, alkyl having from 1 to 3 carbon atoms or hydroxy, and the other is hydrogen or alkyl having from 1 to 3 carbon atoms; and

A is cycloalkyl having from 3 to 6 ring carbon atoms wherein the cycloalkyl is unsubstituted or one or two ring carbons are independently mono-substituted by methyl or ethyl;

or when  $\text{R}^1$  is hydrogen, a pharmaceutically acceptable salt of the compound.

2. (Currently amended) The A biologically active agent of claim 1, wherein the agent is a compound of the formula:



wherein

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n is 1 or 2;

m is 0 or 1;

q is 0 or 1;

t is 0 or 1;

R<sup>5</sup> is alkyl having from 1 to 3 carbon atoms;

A is cycloalkyl having from 3 to 6 ring carbon atoms wherein the cycloalkyl is unsubstituted or one or two ring carbons are independently mono-substituted by methyl or ethyl; and

X is -CH<sub>2</sub>- and R<sup>1</sup> is ethyl; or X is -CH<sub>2</sub>CH<sub>2</sub>- or -CH<sub>2</sub>CH(NHAc)- and R<sup>1</sup> is hydrogen or alkyl having from 1 to 7 carbon atoms;

or when R<sup>1</sup> is hydrogen, a pharmaceutically acceptable salt of the compound.

3. (Original) The agent of claim 2, wherein R<sup>1</sup> is hydrogen or ethyl.

4. (Original) The agent of claim 2, wherein q is 0.

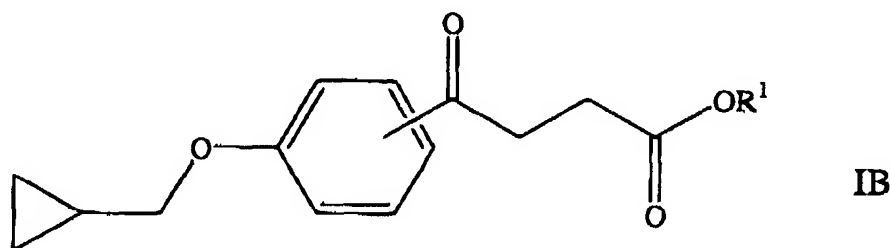
5. (Original) The agent of claim 2, wherein X is -CH<sub>2</sub>CH<sub>2</sub>-.

6. (Original) The agent of claim 2, wherein the cycloalkyl is unsubstituted or one or both ring carbons adjacent to the ring carbon covalently bound to the remainder of the compound of formula I are independently mono-substituted by methyl or ethyl.

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7. (Original) The agent of claim 6, wherein A is unsubstituted cyclopropyl.
8. (Original) The agent of claim 2, wherein q is 1 and R<sup>5</sup> is methyl.
9. (Original) The agent of claim 2, wherein the compound is 4-(3-((Cyclobutyl)-methoxy)phenyl)-4-oxobutyric acid.
10. (Original) The biologically active agent of claim 2, wherein the agent is a compound of the formula:



wherein

R<sup>1</sup> is hydrogen or alkyl having from 1 to 7 carbon atoms,

or when R<sup>1</sup> is hydrogen, a pharmaceutically acceptable salt of the compound.

11. (Original) The agent of claim 10, wherein R<sup>1</sup> is hydrogen or ethyl.
12. (Original) The agent of claim 11, wherein the compound is 4-(4-((cyclopropyl)-methoxy)phenyl)-4-oxobutyric acid.
13. (Original) The agent of claim 11, wherein the compound is 4-(3-((cyclopropyl)-methoxy)phenyl)-4-oxobutyric acid.